

## **Minutes of the Maine Real Estate Commission**

**June 15, 2006**

### **MEMBERS PRESENT**

Winfred Stevens, Chairman  
David Kitchen, Vice-Chairman  
Earl Black  
Sharon Millett  
Jeffrey Mitchell

### **STAFF PRESENT**

Carol Leighton, Director  
Karen Bivins, Deputy Director  
Robert Perkins, Assistant Attorney General  
Judy Phillips, Examiner  
Susan Greenlaw, Secretary

### **MEMBERS ABSENT**

Susan Lewis Hodgkins

**Location:** Central Conference Room

**Start:** 9:00 a.m.

**Adjourn:** 4:25 p.m.

### **Agenda Modifications**

A motion was made by Jeffrey Mitchell and seconded by Earl Black to add the following to the agenda. Unanimous.

- I. Proposed Consent Agreements
  - A. #2004-REC-46
  - B. #2006-REC-2671
  - C. #2006-REC-2716
- II. Proposed Dismissals
  - A. #2006-REC-2651

### **Commission Minutes**

A motion was made by Sharon Millett and seconded by Jeffrey Mitchell to approve the minutes of the May 18, 2006 meeting as written. Unanimous.

### **Adjudicatory Hearings**

The Chair opened the hearing in the matter of Director v. Darren C. McMullen. The Director was present and represented by Assistant Attorney General Robert Perkins. McMullen was present and not represented by an attorney. Public deliberations were conducted at the close of the hearing. A motion was made by Sharon Millett and seconded by Earl Black to find McMullen in violation of 32 M.R.S.A. §13067(1)(D). Unanimous. A motion was made by Sharon Millett and seconded by Earl Black to find McMullen in violation of 32 M.R.S.A. §13067(1)(A). Unanimous. A motion was made by Jeffrey Mitchell and seconded by David Kitchen to order the suspension of McMullen's license for a period of 90 days and order

payment of a fine in the amount of \$3000 within 30 days. Kitchen, Mitchell, and Stevens voted in the affirmative; Black and Millett opposed. Motion carried.

The Chair opened the hearing in the matter of Director v. Felisa D. Ricks. The Director was present and represented by Assistant Attorney General Robert Perkins. Ricks was not present nor represented by an attorney. Public deliberations were conducted at the close of the hearing. A motion was made by Sharon Millett and seconded by Earl Black to find Ricks in violation of 32 M.R.S.A. §13067(1)(A). Unanimous. A motion was made by Sharon Millett and seconded by Earl Black to find Ricks in violation of 32 M.R.S.A. §13067(1)(A). Unanimous. A motion was made by David Kitchen and seconded by Sharon Millett to order the immediate revocation of Ricks' license and payment of fines in the amount of \$2000 for the first violation and \$2000 for the second violation. Unanimous.

The Chair opened the hearing in the matter of Joseph G. Quinn v. Director. Quinn was present and not represented by an attorney. The Director was present and represented by Assistant Attorney General Robert Perkins. Public deliberations were conducted at the close of the hearing. A motion was made by Sharon Millett and seconded by Jeffrey Mitchell to uphold the denial of Quinn's application for broker license. Kitchen, Millett, and Mitchell voted in the affirmative; Black and Stevens opposed. Motion carried.

### **Draft Commission Decisions**

A motion was made by Jeffrey Mitchell and seconded by David Kitchen to accept the Decision and Order in the matter of Director v. Karen A. Schlegel. Black, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed; Millett abstained. Motion carried.

A motion was made by Jeffrey Mitchell and seconded by Earl Black to accept the Decision and Order in the matter of Director v. Ronald A. Tremblay. Black, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed; Millett abstained. Motion carried.

### **Proposed Consent Agreements**

#2006-REC-2421: Sharon Millett recused and left the room. A motion was made by Earl Black and seconded by Jeffrey Mitchell to accept the Proposed Consent Agreement. Black, Kitchen, Mitchell, and Stevens voted in the affirmative; none opposed. Motion carried.

A motion was made by Earl Black and seconded by Jeffrey Mitchell to accept the Proposed Consent Agreements in case numbers 2006-REC-2636, 2006-REC-2643, 2004-REC-46, 2006-REC-2671, and 2006-REC-2716. Unanimous.

### **Dismissed Complaints**

#2006-REC-2515. Winfred Stevens recused and left the room. A motion was made by Sharon Millett and seconded by Earl Black to accept the Proposed Dismissal. Black, Kitchen, Millett, and Mitchell voted in the affirmative; none opposed. Motion carried.

A motion was made by David Kitchen and seconded by Earl Black to accept the Proposed Dismissals in case numbers 2004-REC-123, 2006-REC-2569, 2006-REC-2618, and 2006-REC-2651. Unanimous.

### **Director's Report**

Core Course Class Questions – June 8, 2006 Memorandum: Reviewed several questions from instructors regarding the new Core Course and provided responses to most of the questions. Discussion to continue at the next meeting.

Financial Institution Employee's Guide to Deposit Insurance – Updated April 2006 New Coverage for Retirement Accounts: Discussed Chapter 4 covering Fiduciary Accounts.

### **Next Meeting Scheduled for July 20, 2006**

The meeting was adjourned at 4:25 p.m.

This report respectfully submitted,

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Winfred A. Stevens  
Chairman

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Carol J. Leighton  
Director